

## BOXING AUSTRALIA INCORPORATED

### 2012 AUSTRALIAN OLYMPIC TEAM NOMINATION CRITERIA

#### 1 Shadow Team

- (1) BAI will choose Athletes from within its sport to be members of the AOC's Shadow Team. The AOC may also recognise other Athletes from within this sport to be members of the Shadow Team.
- (2) In order to be chosen by BAI as a member of the Shadow Team each Athlete must:
  - (a)
    - (i) if a male, subject to the remainder of this clause 1(2)(a), have competed in an Elite Men's weight category at the 2011 Australian Championships to be held 3-6 March, 2011 at the Reggio Calabria Club, Parkville (Melbourne), Victoria, and which has been designated the Selection Event for the Australian Team to the 2011 Elite Men's World Championships.
    - (ii) Any Athlete unable to compete in the 2011 Australian Championships because he is competing in the 2011 World Series of Boxing (team or individual) Championships, will be exempt from the requirement to have competed in the 2011 Australian Championships, provided however that he will need to have defeated a winner of an Elite Men's weight category at the 2011 Australian Championships in a 'challenge' bout designated a Selection Event for the Australian Team to the 2011 Elite Men's World Championships and which 'challenge' bout is approved by BAI, to be held at a time, date and location at the sole and absolute discretion of BAI. Such bout will be held on a date to be advised with not less than one months notice. Any Athlete seeking the exemption must notify BAI by 3 March 2011 and BAI will notify the relevant parties of the time, date and location of the 'challenge' bout by email, by 30 March, 2011.
    - (iii) If only one (1) Athlete enters the draw for a particular Elite Men's weight category at the 2011 Australian Championships or after the time for entries has closed or at any time thereafter the number of athletes in a particular weight category is only one (1) for any reason, BAI may in its absolute discretion resolve upon a different method of selecting an Athlete for that weight category to be chosen as a member of the Shadow Team. This may include holding the bout(s) for that weight category at a later date not less than one month prior to the 2011 Elite Man's World Championship. The exact date and location will be advised by BAI by email and by posting it on its website not less than one month prior to the proposed bout. Any Athlete competing in such bout(s) will be exempt from the requirement of subclause 1(2)(a)(i) above; or
  - (b) if a male, have competed in an Elite Men's weight category at the 2012 Australian Championships to be held in Hobart in February 2012 and which has been designated the Selection Event for the Australian Team to the 2012 Oceania Olympic Qualifying Event ; or
  - (c) if a female, have competed in an Elite Women's weight category at the 2012 Australian Championships to be held in Hobart in February 2012 and which has been designated the Selection Event for the Australian Team to the 2012 Elite Women's World Championships.
- (3) In order to be recognised as a member of the Shadow Team the Athlete must have signed the Consent to Shadow Team Membership Form (Attachment 1) and in the case of minors, the Parents/Guardians Acknowledgment for Minors Form (Attachment 2) and provided it to the CEO of BAI at Sports House, Level 2, 375 Albert Road, Albert Park, Victoria, 3206.
- (4) BAI will provide all Athletes chosen or recognised as members of the Shadow Team with the Guide to Olympic Team Selection, the Selection Criteria and this Nomination Criteria. The AOC Selection By-Law and the Qualification System will be made available on the AOC's website ([www.olympics.com.au](http://www.olympics.com.au)).

- (5) BAI will advise the AOC of the Athletes that it has chosen as members of the Shadow Team at such time as required by the AOC.
- (6) If an Athlete breaches the requirements of the Nomination Criteria, the Selection Criteria or the Selection By-Law, the BAI or AOC may suspend or terminate the Athlete's membership of the Shadow Team.

## 2 **Nomination of Athletes**

For the purposes of nomination to the AOC of Athletes for selection to the 2012 Australian Olympic Team BAI will:

- (1) only nominate those Athletes who have:
  - (a) if a male, pursuant to the Qualification System for boxing, qualified a quota place in a weight category at the 2011 Elite Men's World Championships or, if still available, at the 2012 Oceania Olympic Qualifying Event, to compete in the 2012 Olympic Games.; or
  - (b) if a female, pursuant to the Qualification System for boxing, qualified a quota place in a weight category at the 2012 Elite Women's World Championships to compete in the 2012 Olympic Games.
- (2) only nominate Athletes who are, or are recognised by the AOC as, members of the Shadow Team;
- (3) only nominate those Athletes it honestly believes have met the requirements described in the Selection Criteria;
- (4) only nominate those Athletes who have signed the Athlete Nomination Form as issued by the AOC from time to time;
- (5) not nominate more Athletes (including reserves) than the maximum number permitted under the Qualification System; and
- (6) not nominate Athletes who have breached the AOC Anti-Doping By-Law unless the Athlete has already been sanctioned for the breach and has completed the sanction imposed.

For the avoidance of doubt, no Australian athlete will qualify a quota place pursuant to the Qualification System, at the 2011 World Series of Boxing Individual Championships.

## 3 **Illness/Misadventure/Extenuating Circumstances**

For the purpose of determining whether an Athlete has met the requirements of this Nomination Criteria BAI will not have regard to any extenuating circumstances.

## 4 **Making of Nominations**

Nominations by BAI must be received by the AOC by 10:00am AEST on Friday 22 June 2012. Nominations made after this deadline (or within such further deadline as the AOC may allow) will be invalid unless made pursuant to a direction or award in respect of an appeal against non-nomination to the BAI Appeals Tribunal or the Court of Arbitration for Sport pursuant to the AOC's Selection By-Law and which appeal had been commenced prior to the deadline for receipt of nominations by the AOC.

The 10:00am AEST on Friday 22 June 2012 deadline for the making of nominations by the BAI applies irrespective of any deadline prescribed under the Qualification System or by the Organising Committee for the 2012 Olympic Games.

## 5 **Appeals regarding selection to compete**

- (1) This clause 5 does not govern any dispute regarding an athlete's nomination or non-nomination by BAI to the AOC. Any dispute regarding an athlete's nomination or non-nomination by BAI to the AOC shall be made in accordance with the AOC's Olympic Team Selection By-Law, a copy of which is available from the AOC website at [olympics.com.au](http://olympics.com.au).

- (2) Any dispute concerning selection or non-selection of an athlete to compete in the 2011 or 2012 Australian Championships or for the Australian team to compete in the 2011 Elite Men's World Championship or the 2012 Elite Women's World Championship or the 2012 Oceania Olympic Qualifying Event must be conducted according to the process outlined in Attachment 3.
- (3) If, as a result of the process outlined in Attachment 3, an appeal is successful, the BAI Appeal Tribunal (as set out in Attachment 3) may direct BAI to conduct a 'Challenge Bout'. Any such Challenge Bout will be conducted in accordance with the following conditions:
  - (i) BAI will arrange a Challenge Bout within 14 days of the decision or within a time otherwise determined by the BAI Appeals Tribunal;
  - (ii) the Challenge Bout will be conducted in a venue mutually agreed by both parties. In the event both parties cannot mutually agree on the venue, BAI will determine a neutral venue in which the Challenge Bout will be conducted.
  - (iii) the Challenge Bout will be conducted by BAI or its nominated State/Territory Member Association with an approved computer-scoring machine and provide 5 judges with a minimum qualification of national level. BAI will prioritise the allocation of the officiating judges in accordance with their current qualification ie. AIBA, followed by national level.
  - (iv) the challenging athlete will cover all expenses associated with competing in the Challenge Bout approved by the BAI including the costs for the athlete being challenged. For the avoidance of any doubt these expenses include the cost of any economy class airfares (or ground transport if reasonably practicable) and accommodation for the athlete and their coach to attend the identified State/Territory for the challenge as determined and agreed by BAI in advance of the Challenge Bout.
- (4) The winner of the Challenge Bout will be selected to compete in their nominated weight category for the relevant competition.

#### **6. Challenge Bout Panel**

- (1) The BAI will appoint a Challenge Bout Panel to co-ordinate and ensure the appropriate implementation of the Challenge Bout in accordance with BAI's Technical and Competition Rules (as amended from time to time), a copy of which is available at [www.boxing.org.au](http://www.boxing.org.au).
- (2) The Challenge Bout Panel will consist of three (3) persons appointed by the BAI Board who will be reasonably considered to be impartial. For the avoidance of doubt, a person cannot have any association or relationship with either of the affected parties.
- (3) Any decisions of the Challenge Bout Panel are subject to the approval by the BAI Board.

## 6 **Amendments to Nomination Criteria**

This Nomination Criteria may be amended by BAI with the prior written approval of the AOC. Any amended Nomination Criteria will be distributed by BAI posting it on its website, emailing it to BAI's Member Associations and emailing it to members of the Shadow Team.

## 7 **Interpretation**

(1) Words used in this Nomination Criteria have the same meaning ascribed to them in the AOC's Olympic Team Selection By-Law unless a contrary meaning appears from the context.

(2) In this Nomination Criteria the following words and phrases have the following meanings:

AOC means the Australian Olympic Committee

BAI means Boxing Australia Incorporated

CEO means Chief Executive Officer

Challenge Bout means a bout that is conducted in accordance with clause 5(3) of this Nomination Criteria.

Qualification System means the Olympic Qualification System for the 2012 Olympic Games published by International Boxing Association to determine the allocation of quota places to various nations to qualify to participate in the Olympic Games (as amended from time to time), a copy of which is available at [www.olympics.com.au](http://www.olympics.com.au).

Selection Event means an event to be designated the event from which results will determine the selection of athletes.

State/Territory Member Association means the member amateur State or Territory Boxing Association recognised by BAI.

## 8 **Law**

This document is governed by the laws applicable in the State of New South Wales.

**Attachment 1**  
**2012 AUSTRALIAN OLYMPIC TEAM**  
**CONSENT TO CONSIDERATION FOR NOMINATION**  
**TO SHADOW TEAM MEMBERSHIP**

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Boxing Australia Incorporated (NF)

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*[insert name of Athlete]*

I consent to being a member of the Shadow Team for nomination by the above NF for selection to the 2012 Australian Olympic Team. I make this acknowledgement honestly and fully and confirm that this acknowledgement is not false or misleading:

- 1 I have been provided with, or been given access to, and will be bound by and observe the terms of the AOC Olympic Team Selection By-Law, the AOC Selection Criteria applicable to my sport and my NF's Nomination Criteria in force and as amended from time to time. I acknowledge that all members of the Shadow Team will likewise be bound by and must observe the same terms.
- 2 The AOC's Olympic Team Selection By-Law and the Selection Criteria may be amended by the AOC from time to time. I will be bound by and observe the AOC's Olympic Team Selection By-Law, and the Selection Criteria as amended, and acknowledge that any amendments to the AOC's Selection By-Law and Selection Criteria will be posted to the AOC's website ([www.olympics.com.au](http://www.olympics.com.au)) along with the Qualification System applicable to my event.
- 3 The decision whether or not to nominate me to the AOC for selection in the 2012 Australian Olympic Team is subject to the Nomination Criteria and is at the discretion of my NF.
- 4 If my NF decides to nominate me for selection to the 2012 Australian Olympic Team I will be required to complete an Athlete Acknowledgement as determined by the AOC from time to time.
- 5 In the event that my NF nominates me to the AOC for selection in the 2012 Australian Olympic Team I am not guaranteed to be selected in the 2012 Australian Olympic Team. The decision whether or not to select me as a member of the 2012 Australian Olympic Team is subject to the AOC's Olympic Team Selection By-Law and Selection Criteria and is at the absolute discretion of the AOC.
- 6
  - (1) I have not at any time engaged in conduct (whether publicly known or not and whether before or after the date of my selection), which has brought, brings or would have the tendency to bring me or my sport into disrepute or censure, or which is or would have the tendency to be inconsistent with, contrary to or prejudicial to the best interests, image or values of the AOC or Team Sponsors, or as a result of which my membership would not be or would not likely be in the best interests of the 2012 Australian Olympic Team or the Shadow Team;
  - (2) I have not at any time (whether before or after the date of my selection) been convicted of, or charged with, any serious offence involving violence, alcohol or drugs, or any sex offence, or any offence relating to any betting or gambling activities on sport, or any offence which is punishable by imprisonment;
  - (3) I have and will continue to honestly and fully disclose information to my NF and the AOC concerning any conduct that might be in breach of (1) or (2) above or concerning any criminal offence of whatever nature, with which I have been charged, or of which I have been convicted, and consent to my NF and the AOC making enquiries to relevant authorities for any details of my criminal record (if any), including details of any charges pending or any spent convictions disclosable by law, and consent to those authorities providing that information in answer to those enquiries;
  - (4) any matter arising under (1), (2) or (3) above is to be determined, or breach thereof excused, by the AOC in its sole and absolute discretion.

## DISCLOSURE

(Please identify if there are any matters to be disclosed in respect of paragraph 6(1), (2) or (3) above ie identify any disreputable conduct, criminal convictions or criminal charges.)

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7 My contact details are: Address: \_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_

8 I will notify my NF in writing of any change in the above contact details. Any failure by me to advise my NF in writing of a change in my contact details may be to my detriment. Any announcement to be made or notice required to be sent pursuant to the AOC's Olympic Team Selection By-Law may be sent to one or more of the above contacts, or such other contact as notified in writing by me, and in the case of:

- (1) post, the announcement or notice is deemed to have been received by me by properly addressing, prepaying and posting a letter containing the announcement or notice, and to have been received by me on the third business day after the date of its posting. Any announcement or notice sent by post to me overseas will be forwarded by air mail;
- (2) facsimile transmission, the announcement or notice is deemed to have been received by me by properly addressing the facsimile transmission and transmitting it to the number supplied by me and to have been received by me the next business day after the date of its transmission; and
- (3) email, the announcement or notice is deemed to have been received by me by properly addressing the email address and transmitting it to the address supplied by me and to have been received by me on the next business day after the date of transmission unless the AOC or NF is advised that the transmission failed to send to the addressee.

9 If I wish to utilise Specialised Equipment at the Games, I will submit a request in writing to the AOC Director of Sport no later than 6 months prior to the Games. This request is subject to the approval of the AOC in accordance with the 2012 Australian Olympic Team Membership Agreement – Athletes.

10 This consent is governed by the laws applicable in the State of New South Wales.

\_\_\_\_\_  
Signature of Athlete

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Name

\_\_\_\_\_  
Witness Signature

Attachment 2

2012 AUSTRALIAN OLYMPIC TEAM

CONSENT TO CONSIDERATION FOR NOMINATION TO SHADOW TEAM MEMBERSHIP

Parents/Guardians Acknowledgement for Minors

Boxing Australian Incorporated (NF)

[insert name of athlete]

I/we, the undersigned parents/guardians of the athlete agree (and if more than one, then jointly and severally agree) as follows:

- 1. the athlete is under the age of 18 years as at the date of signing the agreement;
2. I/we have read and understood the AOC Olympic Team Selection By-Law, the AOC Selection Criteria applicable to the sport of [insert sport] ("the agreements") and have fully explained to the athlete the terms and effects of the agreements. To this end I/we have obtained independent legal advice as to the terms and effects of the agreements in order to clarify any doubts or concerns I/we may have had in this regard;
3. the athlete has read the agreements and, together with the benefit of our full explanation, understands its terms and effects;
4. the agreements are for the benefit of the athlete; and
5. the athlete's eligibility for being considered for nomination by the above NF for selection to the 2012 Australian Olympic Team, ("Team"), may be terminated in the event of any breach of these agreements.

Dated:

Signed by the Parent/Guardian )

In the presence of: )

(Parent/Guardian's signature)

(Witness' signature)

(Name of Witness)

(Name of Parent/Guardian)

(Address of Witness)

(Address of Parent/Guardian)

### Attachment 3

## APPEALS REGARDING SELECTION TO COMPETE AT THE 2011 AND 2012 AUSTRALIAN CHAMPIONSHIPS OR TO BE A BOXING MEMBER OF THE AUSTRALIAN TEAMS TO COMPETE AT THE 2011 ELITE MEN'S WORLD CHAMPIONSHIPS OR 2012 ELITE WOMEN'S WORLD CHAMPIONSHIPS OR 2012 OCEANIA OLYMPIC QUALIFYING EVENT

### 1 BAI TEAM APPEALS TRIBUNALS

- 1.1. The BAI Team Appeals Tribunal will consist of the following persons appointed by BAI:
  - (1) a barrister or solicitor who will act as Chairman;
  - (2) a person with a thorough knowledge of the sport of Boxing and who preferably has had recent international experience in the sport; and
  - (3) one other person of experience and skills suitable to the function of the Tribunal;
  - (4) who will constitute a quorum for the purpose of hearing and determining any appeal pursuant to clause 2, provided that with the consent of all parties to an appeal the Tribunal may be constituted by two members, one of whom must be a barrister or solicitor who will act as Chairman.
- 1.2. No person appointed to the BAI Team Appeals Tribunal may hear and consider any appeal pursuant to clause 2 if he or she is a member of the Board of BAI or if by reason of his or her relationship with:
  - (1) the appellant;
  - (2) any member of the Board of BAI or one of its State/Territory Member Associations;
  - (3) any member of the Challenge Bout Panel; or
  - (4) any persons whose interests may be affected by the outcome of the appeal;he or she would be reasonably considered to be other than impartial.
- 1.3. Should an appellant or other party to an appeal challenge the impartiality of any member of the BAI Team Appeals Tribunal, the challenge will be determined by the Chairman sitting alone.
- 1.4. The BAI Team Appeals Tribunal will be bound by the following requirements:
  - (1) it must observe the principles of natural justice;
  - (2) it is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit;
  - (3) it will conduct its hearings with as little formality and technicality and with as much expedition as the proper consideration of the matter permits;
  - (4) hearings may occur in such manner as the Chairman decides, including telephone or video conferencing;
  - (5) each appellant must establish one or more grounds of appeal to the reasonable satisfaction of the Tribunal with full regard to the importance and gravity of the issue;
  - (6) the parties to an appeal will not be entitled to be represented by a barrister or solicitor save with the leave of the BAI Team Appeals Tribunal, which leave will only be given in exceptional circumstances and, if given, may be given unconditionally or on such conditions as the BAI Team Appeals Tribunal thinks fit;
  - (7) if a question of law arises during the course of a hearing, the parties may seek an adjournment in order to obtain legal advice;
  - (8) if the BAI Team Appeals Tribunal is of the view that the outcome of the appeal may affect the interests of any person in addition to the respondent, it must, so far as is practicable, require that notice be given to such other person and will permit that person to appear at the hearing of the appeal and to make submissions;
  - (9) it will give its decision on any appeal as soon as practicable after the hearing and will provide the Chief Executive Officer of BAI, the appellant and other parties to the appeal with a statement of the reasons for its decision; and
  - (10) should the BAI Team Appeals Tribunal determine to uphold any appeal in respect of the selection or non-selection of an athlete (a) for his State/Territory Team to compete in the 2011 Australian Championships or 2012 Australian Championships, or (b) for the Australian Team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or 2012 Olympic Team Nomination Criteria – Boxing Final (Amended 13 September 2011)

2012 Oceania Olympic Qualifying Event, then it will direct BAI to hold a Challenge Bout for the nominated weight category between the successful appellant and the winner of the relevant selection trial or event.

## **2 APPEALS PROCESS FOR ATHLETES**

- 2.1. Subject to clause 2.10, any dispute regarding an athlete's selection or non-selection to compete in the 2011 or 2012 Australian Championships or for the Australian team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or 2012 Oceania Olympic Qualifying Event, will be addressed according to the following appeal procedure:
  - (1) the appeal will be first heard by the BAI Team Appeal Tribunal;
  - (2) any subsequent appeal will be heard by the Appeals Arbitration Division of CAS.
- 2.2. In the event that there is more than one appeal to the BAI Team Appeals Tribunal or to CAS in respect of the same position, then such appeals must so far as is practicable be consolidated and heard together.
- 2.3. The sole grounds for any appeal to the BAI Team Appeals Tribunal are that:
  - (1) the applicable selection criteria have not been properly followed and/or implemented; or
  - (2) the athlete was not afforded a reasonable opportunity by BAI or his State/Territory Member Association to satisfy the applicable selection criteria; or
  - (3) the selection decision was affected by actual bias; or
  - (4) there was no material on which the selection decision could reasonably be based.
- 2.4. Subject to clause 2.6 any appeal against non-selection of an athlete for his State/Territory Team to compete in the 2011 Australian Championships or for the 2012 Australian Championships, or for the Australian team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or the 2012 Oceania Olympic Qualifying Event, must be made to the BAI Team Appeals Tribunal. Any appeal must accord with the following procedure:
  - (1) the appellant must give written notice of his appeal to the Chief Executive Officer of BAI within 48 hours of the announcement of the decision (against which the appeal is made) by his or her State/Territory Member Association for inclusion or otherwise in that State/Territory Team to compete in the 2011 Australian Championships or 2012 Australian Championships, or by BAI for his or her inclusion or otherwise in an Australian Team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or 2012 Oceania Olympic Qualifying Event; and
  - (2) within 5 working days of submitting his or her written notice of appeal, the appellant must submit in writing to the Chief Executive Officer of BAI the grounds of that appeal accompanied by a non-refundable deposit of \$500 payable to BAI.
- 2.5. Prior to the hearing of any appeal, BAI will provide the BAI Team Appeals Tribunal with a written statement as to the reasons for the decision against which the appeal is made.
- 2.6. The decision of the BAI Team Appeals Tribunal will be binding on the parties and, subject only to any appeal to CAS pursuant to clause 2.8, no party may institute or maintain proceedings in any court or tribunal other than the BAI Team Appeals Tribunal. For the avoidance of doubt, if the basis of an appeal is as a result of the actions of a State/Territory Member Association then the BAI Appeals Tribunal will bind the relevant State/Territory Member Association.
- 2.7. Where an athlete wishing to appeal a decision concerning his or her selection or non-selection (a) for his or her State/Territory Team to compete in the 2011 Australian Championships or 2012 Australian Championships, or (b) for the Australian Team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or 2012 Oceania Olympic Qualifying Event and BAI agrees in writing, the appeal to the BAI Team Appeals Tribunal may be directly referred to the Appeals Arbitration Division of CAS and in which instance the grounds of appeal must be one or more of the grounds described in clause 2.3 and the CAS panel will be vested the powers of the BAI Team Appeals Tribunal.

In such instance,

- (1) the appeal will be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration save that CAS will not have the power to vary the time limits pursuant to clause 2.4;
- (2) the provisions of clause 2.10 will apply to any such appeal in so far as they are relevant and clause 2.12 will not apply; and

- (3) there will be no subsequent appeal from the decision of CAS.
- 2.8. The sole grounds for any appeal against a decision of the BAI Team Appeals Tribunal are:
    - (1) a breach of the rules of natural justice by the BAI Team Appeals Tribunal; or
    - (2) that the decision of the BAI Team Appeals Tribunal is otherwise wrong in law.
  - 2.9. Any appeal from a decision of the BAI Team Appeals Tribunal must be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration and applying the law of New South Wales.
  - 2.10. The decision of CAS will be final and binding on the parties and it is agreed that neither party will institute or maintain proceedings in any court or tribunal other than CAS. In particular, and without restricting the generality of the foregoing and for further and better assurance notwithstanding that such provisions have no applicability, there will be no right of appeal under section 38 of the Commercial Arbitration Act, 1984 (NSW) or equivalent in any of the Australian states or to apply for the determination of a question of law under section 39 (1) (a) of such Act or equivalent in any of the Australian states.
  - 2.11. An athlete wishing to appeal to CAS against a decision of the BAI Team Appeals Tribunal must give written notice of that fact to the Chief Executive Officer of BAI Inc within 48 hours of the announcement of the decision against which the appeal is made (or within such time as the Chief Executive Officer may allow) and must then file his or her statement of appeal with CAS within 5 working days. Failure to observe these time limits will render any appeal a nullity provided that an athlete may apply to the body to hear the appeal in question for an extension of time in which to commence an appeal. The body to hear the appeal in question may grant such an extension of time only in extenuating circumstances outside the control of the athlete concerned.
  - 2.12. All appeals to CAS will be heard by a panel comprising three arbitrators subject to R50 of the Code of Sports-Related Arbitration.
  - 2.13. The power of the CAS panel to review the facts and the law pursuant to Rule 57 of the Code of Sports Related Arbitration will be initially limited to determining whether the appellant has made out one or more of the grounds of appeal pursuant to clauses 2.8. If the CAS panel so determines in favour of the appellant, the hearing will then only proceed as a hearing de novo confined, in the case of a dispute as to nomination or non-nomination of an athlete, to a hearing as to whether one or more of the grounds of appeal pursuant to clause 2.3 have been established and subject to the CAS panel observing the requirements of clause 2.14.
  - 2.14. If CAS determines to uphold any appeal in respect of the selection or non-selection of an athlete (a) for his or her State/Territory Team to compete in the 2011 Australian Championships or 2012 Australian Championships, or (b) for the Australian Team to compete in the 2011 Elite Men's World Championships or 2012 Elite Women's World Championships or 2012 Oceania Olympic Qualifying Event, then it will direct BAI to hold a Challenge bout for the nominated weight category between the successful appellant and the winner of the relevant selection trial or event.